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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,) No. CR 09-00671 JW
11)
Plaintiff,) STIPULATION AND [PROPOSED]
12 vs.) ORDER CONTINUING HEARING
13)
CHRISTOPHER ANTHONY DAVIS,)
14 Defendants.)
15 _____)

16 **STIPULATION**

17 The parties, by and through their respective counsel, hereby stipulate and agree that the
18 status hearing currently set for Monday, August 17, 2009 may be continued to Monday,
19 September 14, 2009 at 1:30 p.m. The reason for the requested continuance is to permit the
20 defense to continue its investigation relevant to pretrial motions to dismiss and potential
21 settlement negotiations.

22 The parties further stipulate and agree that 28 days may be excluded from the time within
23 which trial shall commence, as reasonable time necessary for effective preparation of counsel,
24 taking into account the exercise of due diligence, pursuant to Title 18, United States Code
25 Section 3161(h)(7)(A) and (h)(7)(B)(iv).
26

1 Dated: August 12, 2009

2 s/_____
3 CYNTHIA C. LIE
Assistant Federal Public Defender

4 Dated: August 12, 2009

5 s/_____
6 STEVEN SEITZ
Assistant United States Attorney

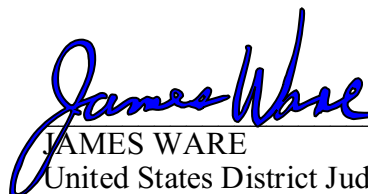
7  ~~PROPOSED~~ ORDER

8 Good cause appearing and by stipulation of the parties, it is hereby ordered that the status
9 hearing of Monday, August 17, 2009 shall be continued to Monday, September 14, 2009 at 1:30
10 p.m.

11 The Court further finds, based on the aforementioned reasons, that the ends of justice
12 served by granting the requested continuance outweigh the interest of the public and the
13 defendant in a speedy trial, in that the failure to grant the requested continuance would deny
14 counsel reasonable time necessary for effective preparation, taking into account the exercise of
15 due diligence, and would result in a miscarriage of justice. The Court therefore concludes that 28
16 days should be excluded from the time within which trial shall commence under 18 U.S.C. §§
17 3161(h)(7)(A) and (B)(iv).

18 It is so ordered.

19 Dated: August 13, 2009

20 _____
21 JAMES WARE
22 United States District Judge
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